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APR 26 2004

In re Application of
G. B. Bode
Filed: August 26, 2003
Application No. 10/648, 171
Attorney Docket No. SMEC121518
For: Swing Clamp

OFFICE OF PETITIONS

: LETTER REGARDING
: NO PUBLICATION FEE DUE

This letter is in response to the request to withdraw the application from publication and "rescind publication fee due" filed on March 26, 2004 and the telephone conversation with Mr. Brian D. Krell (Reg. No. 51,899) on April 13, 2004. Mr. Krell told Ms. Chang that applicant no longer wish to withdraw the application from publication.

The above-identified application has been published due to the Office's processing error. The application is not subject to publication under 35 U.S.C. § 122(b). Therefore, **no publication fee is required**. If a Notice of Allowance that requires the publication fee (or a Notice of Publication Fee Due) is received by the applicant, applicant may submit a reply to the Notice stating that no publication fee is due because the application has been published due to the Office's error. The reply should include a copy of this Notice Regarding No Publication Fee Due.

Questions concerning this correspondence should be directed to Joni Chang, Legal Advisor at the Office of Patent Legal Administration at (703) 308-3858.

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